



**STATE OF MISSOURI**  
**MISSOURI ETHICS COMMISSION**  
P.O. BOX 1254  
JEFFERSON CITY, MISSOURI 65102

**OPINION NO.**

1995.05.124

314/751-2020  
1-800/392-8660

June 12, 1995

Your letter of May 5, 1995 was presented to the Missouri Ethics Commission at its May 30, 1995 meeting.

The question contained in your letter concerned a former official who was seeking to close out a campaign committee. In order to do this, it will be necessary to eliminate the debt owed by this candidate committee. The former official has personally assumed this debt and closed the candidate committee. You stated that you believe the official has the right to do this and, since this is a personal debt, there is no reporting requirement concerning its retirement.

Your attention is directed to section 130.031.3 RSMo, 1994 which provides in relevant part as follows:

"No contribution shall be made or accepted and no expenditure shall be made or incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person in such a manner as to conceal the identity of the actual source of the contribution or the actual recipient and purpose of the expenditure."

It appears to the Commission that the facts, as described in your letter, would be a subterfuge of the law and would be treated as such if brought to the Commission's attention in a complaint. The Commission states that the debt is owed by the committee and collection and payment of the debt should be a matter of public record.

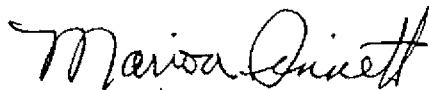
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If you have any further questions, please do not hesitate to contact this office.

Sincerely,



Marion N. Sinnett  
Administrative Secretary

MNS:bd

**NOTICE**

Anyone examining this advisory opinion should be careful to note that an opinion of the Missouri Ethics Commission deals only with the specific request to which the opinion responded and only as to the law as it existed at the date of the response and cannot be relied upon for any other purpose or in any other manner.